

APPROVED: Meeting No. 34-92

ATTEST: 

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 32-92

September 14, 1992

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on September 14, 1992, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember Rose G. Krasnow

Councilmember David Robbins

ABSENT

Councilmember James F. Coyle

Councilmember James T. Marrinan

In attendance: Assistant City Manager Rick Kuckkahn, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. This past Saturday was the annual employee picnic which was held in concert with the second Rockville-Baltimore employee friendship games. Approximately 420 people, including 100 Baltimore employees and their family members, participated in the day-long event which featured friendly competition. The day was a great success and provided an opportunity for Baltimore employees to become better acquainted with Rockville.

2. A Neighborhood Advisory was delivered this evening regarding West Montgomery Avenue. Excavation and base paving of the eastbound lane of West Montgomery Avenue will begin

Meeting No. 32-92

2

September 14, 1992

on Wednesday, September 16, and continue through Friday, September 18. Residents should park their vehicles in an alternate location on a side street. Access to driveways for homes on the south side of the street will be restricted during this period.

3. The Rockville Chamber of Commerce will hold its annual Community Night on Thursday, October 1, in the Executive Office Building cafeteria. The City will have a display at the event as will a wide variety of other Rockville businesses and institutions. This event provides an excellent opportunity to learn about the wide range of products and services Rockville businesses offer.

4. The City was very pleased to receive the Government Finance Officers Association's and Peat Marwick's Quality Service Award. Only two local governments who exemplify high quality operations are honored every year. Normally only single departments within the government qualify; however, Rockville's award is citywide and includes all departments. We are extremely proud of this recognition and thank the Mayor and Council, staff and, particularly the citizens of Rockville for helping make our city work so well.

5. This coming weekend is the City's fifth Oktoberfest celebration which will be held in Town Center adjoining Middle Lane. This event features over 100 juried crafters, the Kids Kastle and a variety of food and entertainment. The Farmers Market will be open all day both Saturday and Sunday.

Re: Proclamation declaring the
week of September 17
through 23, 1992, as
CONSTITUTION WEEK

Proclamation No. 20-92

By a unanimous vote of the Mayor and Council, the week of September 17 through 23, 1992, was declared **CONSTITUTION WEEK** in Rockville. Councilmember Robbins read the

Meeting No. 32-92

3

September 14, 1992

Proclamation, the full text of which can be found in Proclamation File No. 7 of the Mayor and Council. Charlotte Chakan, Regent, Colonel Tench Tilghman Chapter of the Daughters of the American Revolution, accepted the Proclamation.

Re: Proclamation declaring
September 15 through
October 15, 1992, as
**ROCKVILLE HISPANIC
HERITAGE MONTH.**

Proclamation No. 21-92

By a unanimous vote of the Mayor and Council, September 15 through October 15, 1992, was declared **ROCKVILLE HISPANIC HERITAGE MONTH**. Councilmember Krasnow read the Proclamation, the full text of which can be found in Proclamation File No. 7 of the Mayor and Council. This Proclamation recognizing the contributions made by our citizens of Hispanic descent was presented to Susie Cartio of Hispanics United for Rockville; Eduardo Fiestas, President, Puro Pero; Jose Aguilar, President, Soccer United Latin America; and Enrique Astiz, President, CTA.

Re: Recognition of Trudi
Niewiaroski, MCPS 1992
Teacher of the Year. Mrs.
Niewiaroski currently
teaches social studies at
Richard Montgomery
County High School and is
the County's nominee for
the Maryland Teacher of the
Year Award which will be
announced on September
25.

The Mayor and Council recognized Mrs. Niewiaroski, MCPS 1992 Teacher of the Year, who currently teaches at Richard Montgomery High School in Rockville. Mrs. Niewiaroski expressed appreciation for the community's dedication to education. The PTSA nominated her for the MCPS

Meeting No. 32-92

4

September 14, 1992

Award, and her students at Richard Montgomery wrote letters in support of this nomination.

In recognition of Richard Montgomery's Centennial Celebration this year, a framed photograph of the fourth of July display honoring Richard Montgomery's 100th anniversary was presented to Gloria Poole, Centennial Committee Chairperson, and Paul Tierney, Co-President, Richard Montgomery PTSA. Ms. Poole and Mr. Tierney thanked the Mayor and Council and City staff for their continuing efforts on behalf of Richard Montgomery High School.

Re: Citizens Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Stan Klein, 7 Lorre Court, referenced a recent meeting to discuss the proposal to construct a Wal-Mart on the Irvington Farm property. He urged the Mayor and Council, in their consideration of the annexation of this property, to separate the principles of the types of uses on the property from the details of siting of such uses.

2. Carol Hannaford, 5718 Wainwright Avenue, as Chairperson of the Human Rights Commission, reported on their efforts to reach out to the Asian and Hispanic communities in Rockville. She outlined meetings she has attended to further these efforts. The Commission will be guided by two documents, Civil Rights Issues Facing Asian Americans in the 1990s and A Blueprint for Latino Change.

Ms. Hannaford advised the Mayor and Council of the Commission's future plans and encouraged their attendance at the retreat to be held in October.

Mayor Duncan expressed appreciation for this update and the Commission's continuing efforts.

Meeting No. 32-92

5

September 14, 1992

There being no other citizens wishing to be heard, the Mayor closed the Citizens Forum portion of the meeting.

Re: Appointments

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Margaret Sante was reappointed to a two-year term on the Cultural Arts Commission.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, Edward Gonzague was appointed to a three-year term on the Landlord-Tenant Affairs Commission as an Alternate Landlord Representative.

Re: Approval of Minutes

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the minutes of Meeting No. 30-92 (August 3, 1992) were approved, as written.

Re: Consent Agenda

Councilmember Krasnow requested the removal of Item H from the Consent Agenda and Councilmember Robbins requested the removal of Item I. Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- A. Award of Bid No. 19-93, North Farm Park Restrooms Addition, to sole bidder, The Alexander Group, in the amount of \$44,175.

This award calls for the construction of two accessible restrooms at the North Farm Shelter building. Sufficient funds have been budgeted for this award.

Meeting No. 32-92

6

September 14, 1992

- B. Award of Bid No. 22-93 for the landscaping and minor grading of the Maryvale 2 SWM facility to Commander Construction, Inc. for the low bid of \$25,272.
- C. Award of Bid No. 24-93 for the purchase of a rotary mower, to G.L. Cornell Company for the low bid amount of \$20,536.

Bids were received and opened on September 2, 1992, in the Mayor and Council Chambers for the purchase of one 60" rotary mower.

- D. Award of Washington Metropolitan Area Transit Authority Bid No. AB-6952/RC for diesel fuel as part of the Metropolitan Council of Governments cooperative purchasing program.

WMATA, as the lead jurisdiction for diesel fuel purchases for COG, has awarded the annual cooperative contract to MG Refining and Marketing, Inc., at the low escalating/de-escalating bid price of \$.6060 per gallon.

- E. Award of Fairfax County Bid #IFB30000621 for Heating Oil as part of the Metropolitan Council of Governments cooperative purchasing program.

Fairfax County, as the lead jurisdiction for COG, has awarded the annual cooperative contract to Louis Dreyfus Energy Corporation and MG Refining and Marketing, Inc.

Meeting No. 32-92

7

September 14, 1992

- F. Award of Fairfax County Water Authority Bid No. 92-16 for water meters as part of the Metropolitan Council of Governments cooperative purchasing program.

Fairfax County Water Authority, as the lead jurisdiction for COG has awarded the annual cooperative contract to Mueller/Herst, Badger Meter, Inc. and Kent Meters, Inc. for water meters.

- G. Approval of an Agreement with U.S. Impressions, Inc. for preparation of an Economic Resource Profile for Rockville.

The terms and conditions of the Agreement were negotiated by the Economic Development Division in conjunction with the office of the City Attorney.

Re: Adoption of Resolution to authorize the Housing Authority of the City of Rockville to administer a Section 8 Certificate/Voucher Program of up to 300 units.

The Housing Authority is presently applying for 50 additional Section 8 rent supplement vouchers and 100 Section 8 rent supplement certificates from HUD.

Resolution No. 12-92

Councilmember Krasnow stated that she has spoken with Sandra Crewe, Executive

Meeting No. 32-92

8

September 14, 1992

Director of the Rockville Housing Authority, and was advised that the County's Housing Opportunities Commission handles the majority of housing under Section 8, even within the City of Rockville. She is very much in favor of the change requested except to express concern as to whether this could lead to more expenses for the City. One counselor funded by the County would be dropped, and Councilmember Krasnow wondered whether the funds accruing to the Housing Authority through this increase would be sufficient to cover the added expenses. Ms. Crewe responded that the Housing Authority would receive enough additional administrative fees to employ staff needed to operate the program, including the counselor currently funded through the County.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Resolution No. 12-92, the full text of which can be found in Resolution Book No. 10 of the Mayor and Council, was adopted to authorize the Housing Authority of the City of Rockville to administer a Section 8 Certificate/Voucher Program of up to 300 units.

Re: Receipt of financial reports summarizing the results of City operations for the period from July 1, 1992, through July 31, 1992.

Noting that July's revenue has increased from this time last year, Councilmember Robbins asked if any conclusions or projections could be drawn regarding revenues for the remainder of the fiscal year. The Director of Finance reported that the summer playgrounds and Swim Center operations fared well this summer; however, he indicated that no significant increases in revenue are projected for this fiscal year.

Re: Approval of First Amendment to the Assumption of Mall Agreement and to authorize the Mayor to sign the amendment agreement.

Meeting No. 32-92

9

September 14, 1992

This amendment pertains to an existing lease for City property in Rockville Metro Center currently being used for parking and retail operations and would reduce the annual rental payment to the City from \$438,803.08 to \$120,000 plus 25% of any net profits realized by Rockville Center, Inc. as a result of its use and operation of the property.

Mayor Duncan commented that concern had been expressed during the public hearing with respect to approval of this amendment. He pointed out that Rockville Center, Inc. came in to rescue a failed business, and it is entirely appropriate to agree to their request for a reduction in the rental payment. They need some relief so that they can decide on a future course of action.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the Amendment to the Assumption of the Mall Agreement was approved, and Mayor Duncan was authorized to sign the Amendment Agreement on behalf of the Mayor and Council of Rockville.

Re: Adoption of Resolution to Deny Text Amendment Application T-130-92, Rockville Planning Commission, Applicant.

This text amendment seeks to amend the definition of "sign" and "portable sign" in the definitions section of the Zoning Ordinance to prohibit costumes and other articles of clothing as a means of advertising, and to clarify other types of displays as being signs.

Meeting No. 32-92

10

September 14, 1992

Resolution No. 13-92

Councilmember Krasnow inquired as to whether efforts are underway to try to revise the wording of the text amendment as it was felt that the language was too restrictive. Neal Herst, Director of Community Development, advised that the City has been in contact with the Chamber of Commerce and offered to form a working group to develop new language for a text amendment focusing on the use of costume figures and banner signs. A report should be forthcoming in approximately six weeks.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Resolution No. 13-92, the full text of which can be found in Resolution Book No. 10 of the Mayor and Council, was adopted to deny Text Amendment Application T-130-92, Rockville Planning Commission, Applicant.

Re: FYI/Correspondence

Rockville Library Parking Meters

Councilmember Robbins expressed concern with the County's executive regulation authorizing installation of parking meters at the Rockville Library. He asked if this would be implemented and in effect when the library reopens and if it is just the lot itself or the side street parking as well. He also inquired as to the City's input in this matter.

The Assistant City Manager responded that the meters would be confined to the parking lot.

Councilmember Krasnow echoed Councilmember Robbins' concerns and voiced strong opposition to parking meters in the Rockville Library lot. She indicated that the whole idea should be reconsidered. The library is the wrong place in which to seek additional revenue, and such an action would encourage double-parking.

Meeting No. 32-92

11

September 14, 1992

Mayor Duncan asked that a letter be sent to County Executive Potter opposing the installation of parking meters at the Rockville Library and offering some alternative, such as City police enforcement of parking restrictions.

Volunteer Appreciation Party

The City has a lot of enthusiastic volunteers, and Mayor Duncan thanked them for all their hard work on Rockville's behalf. The party was a tremendous success.

Re: New Business

Last week was the first time phone books had been scheduled for recycling, and Councilmember Krasnow commented that many people simply forgot. She suggested that more publicity is needed for the next set of dates when this recycling will be available. Also, a holiday weekend should be avoided for this pick-up if possible.

Metro is considering elimination of off-peak fares, and Councilmember Krasnow asked if staff had any idea how this action may impact Rockville residents using the Twinbrook and Rockville stations. She indicated that the City may wish to look into this matter and go on record in opposition to this proposal. Increased fares will decrease ridership at a time when we should be looking at ways to boost ridership. The Assistant City Manager will follow-up in this matter.

Mayor Duncan reported that a disabled citizen recently came to see him regarding curb cuts near his residence. The citizen had been advised by staff that his request would be funded next year. It was Mayor Duncan's understanding that when particular curb cuts are requested by residents, the City's policy is to install them at that time. He asked staff to determine exactly what it would cost to install the requested curb cuts and forward this information to the Mayor and Council.

Meeting No. 32-92

12

September 14, 1992

The County is re-looking at its incinerator plan, and Mayor Duncan suggested that it is appropriate for the City to review what alternatives are available to the landfill or incinerator. There may be less expensive alternatives for trash disposal. Staff was requested to review the different options available and prepare a report for the Mayor and Council.

Re: Next Meeting

Next Monday evening, September 21, there will be public hearings on five text amendment applications, proposals for Community Development Block Grant funding for FY94, and an ordinance to establish a Compensation Commission with an accompanying amendment to the Charter of the City of Rockville.

Mayor Duncan reminded everyone that the Oktoberfest celebration would be held this weekend at the Middle Lane site.

Re: Adjournment

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the meeting was adjourned at 8:25 p.m., to convene again in Public Hearing on September 21, 1992, at 7:30 p.m., or at the call of the Mayor.